

SID WOLINSKY (State Bar No. 33716)
DISABILITY RIGHTS ADVOCATES
2001 Center St., Third Floor
Berkeley, CA 94704
Telephone: (510) 665-8644
Facsimile: (510) 665-8511
TTY: (510) 665-8716
Email: general@dralegal.org

Attorneys for Plaintiffs

GREGORY A. WEDNER (State Bar No. 67965)
MEGAN E. MACY (State Bar No. 227002)
LOZANO SMITH
2000 Crow Canyon Place, Suite 200
San Ramon, CA 94583-1344
Telephone: (925) 302-2000
Facsimile: (925) 302-2010
Email: gwedner@lozanosmith.com
mmacy@lozanosmith.com

Attorneys for Defendants

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JASON SPIELER by his guardian ad
litem, ALISON J. SPIELER,
Plaintiffs,
v.

MT. DIABLO UNIFIED SCHOOL
DISTRICT; Gary L. Eberhart, Eric E. Lain,
Richard W. Allen, E. William Leal, and Linda
K. Mayo in their official capacities as
members of the BOARD OF EDUCATION;
Paul E. Allen, in his official capacity as
SUPERINTENDENT OF MT. DIABLO
UNIFIED SCHOOL DISTRICT; Diana Wells,
in her official capacity as Director of Student
Services/Special Education,
Defendants.

RECEIVED

SEP - 7 2007

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND

FILED

SEP 10 2007

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND

Case No. C 98-00951 CW MEJ

CLASS ACTION

JOINT STIPULATION AND REQUEST
FOR EXTENSION OF TIME FOR
PLAINTIFFS SUBMISSION OF
APPLICATION FOR ATTORNEYS'
FEES

CT82

Whereas, by Order dated August 16, 2007, the Court ordered the parties to meet and confer concerning attorney's fees and set a deadline of September 15 for Plaintiffs to submit an application for fees if the Parties are unable to resolve the fees issue or to agree on an alternate mechanism for resolving the dispute;

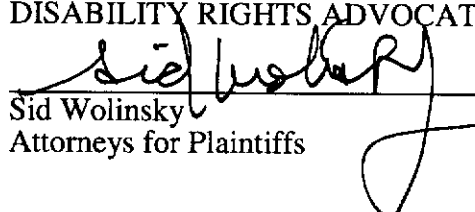
Whereas, the parties have met and conferred but are still exchanging necessary documents and information on which to make an informed decision as to whether the matter of fees and costs can be resolved between the parties;

The undersigned parties, by and through their counsel of record, hereby stipulate to and request that the Court order that Plaintiffs not be required to submit any necessary application for attorneys' fees until October 31, 2007.

SO STIPULATED.

DATED: September 7, 2007

DISABILITY RIGHTS ADVOCATES


Sid Wolinsky
Attorneys for Plaintiffs

DATED: September __, 2007

LOZANO SMITH

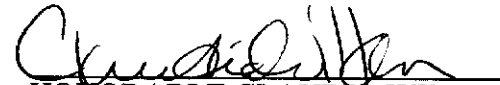
Gregory Wedner
Attorneys for Defendants

(Proposed) ORDER

Plaintiffs may submit any necessary application for attorneys' fees and costs to this Court on or before Wednesday, October 31, 2007.

IT IS SO ORDERED.

Dated: _____ 2007


HONORABLE CLAUDIA WILKEN
U.S. DISTRICT COURT JUDGE

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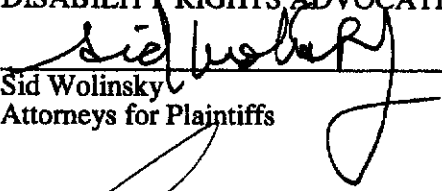
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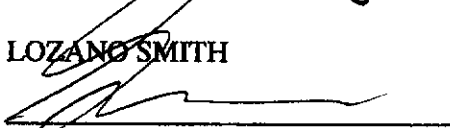
12
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DISABILITY RIGHTS ADVOCATES

14 
15 Sid Wolinsky
Attorneys for Plaintiffs

16
17 DATED: September 7, 2007

LOZANO SMITH

18 
19 Gregory Wedner
Attorneys for Defendants

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25 Dated: 9/10 2007

26 
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U.S. DISTRICT COURT JUDGE

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28 \\Server\\cases\\Spieler.MDUSD\\Pleadings\\Stip_ExtendTime_Attys_fees.doc

PROOF OF SERVICE

I, Lauren M. Roberts, hereby declare:

I am over the age of 18 years and not a party to or interested in the within entitled cause. I am an employee of Disability Rights Advocates and my business address is 2001 Center St., Third Floor, Berkeley, CA 94704-1204. On September 7, 2007, I served true copies of:

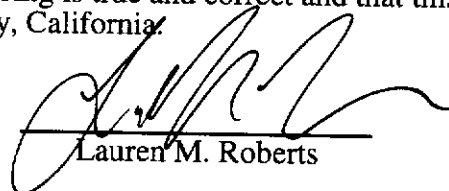
JOINT STIPULATION AND REQUEST FOR EXTENSION OF TIME FOR PLAINTIFFS SUBMISSION OF APPLICATION FOR ATTORNEYS' FEES

on the parties through their attorneys of record, by placing true copies thereof in sealed envelopes addressed as shown below for service as designated below:

- A. By First Class Mail: I caused each such envelope to be placed in the internal mail collection system at Disability Rights Advocates with first-class postage thereon fully prepaid in a sealed envelope for deposit in the United States Postal Service that same day in the ordinary course of business.
- B. By Messenger Service: I caused each such envelope to be delivered during normal business hours by a courier dispatched from Disability Rights Advocates with instructions to hand-carry each such envelope to the office of the address on the date as written above.
- C. By Overnight Mail: I caused each such envelope to be placed in a box or other facility regularly maintained by the overnight express service carrier, or delivered to an authorized courier or driver authorized by the overnight express service carrier to receive documents, in an envelope or package designated by the express service carrier with delivery fees paid or provided for.
- D. By Facsimile: I caused such document to be served via facsimile electronic equipment transmission (fax) on the parties in this action by transmitting a true copy to the following fax numbers listed under each addressee below.

Service Method	Addressees
A, D	Greg Rolen General Counsel Mt. Diablo Unified School District 1936 Carlotta Drive Concord, CA 94519-1397 Fax: 925-680-2505
A, D	Gregory Wedner Lozano Smith 2000 Crow Canyon Place, Suite 200 San Ramon, CA 94583-1108 Fax: 925-302-2010

I declare under penalty of perjury the foregoing is true and correct and that this declaration was executed on September 7, 2007, at Berkeley, California.



Lauren M. Roberts